

From: Environmental Law360 [news-q2@law360.com]
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To: Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Subject: [SPAM-Sender] EPA Relaxes Coal-Fired Power Plant Waste Regulations



ENVIRONMENTAL

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Tuesday, November 5, 2019



TOP NEWS

EPA Relaxes Coal-Fired Power Plant Waste Regulations

The U.S. Environmental Protection Agency on Monday proposed letting power plant operators use less expensive ways to discharge toxic metal with their wastewater and gave coal-fired plants a lengthy timeline to decide how to get rid of their coal ash.

[Proposed Rule attached](#) | [Read full article »](#)

Split 11th Circ. Upholds CWA Permit For Fla. Phosphate Mine

A divided Eleventh Circuit panel upheld a U.S. Army Corps of Engineers water permit for a phosphate mine in Florida on Monday, deciding the permit's scope was limited and didn't require an analysis of a radioactive byproduct.

[Opinion attached](#) | [Read full article »](#)

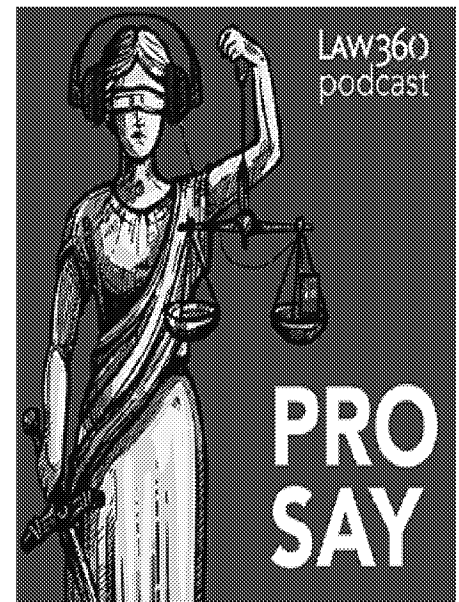
16 AGs Take Trump Lightbulb Standards Rollback To 2nd Circ.

A group of 16 attorneys general and New York City announced Monday that they are challenging a final rule published by the U.S. Department of Energy rolling back efficiency standards for certain lightbulbs, telling the Second Circuit that the rollback will cost \$12 billion in electricity savings and have negative effects on the environment.

[Petition attached](#) | [Read full article »](#)

Tesla Calls For Proof Of Coercion In \$2.6B SolarCity Suit

Tesla Motors Inc. argued Monday that stockholders challenging the company's \$2.6 billion SolarCity acquisition in the Delaware Chancery Court should have to show proof that chairman, founder and CEO Elon Musk actually coerced minority investors to approve the alleged "bailout" in order to get their suit to trial.



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POLICY & REGULATION

Interview

6 Questions For Utility Commissioners' Leader Nick Wagner

The need to preserve state authority over part of the U.S. electric grid is driving the National Association of Regulatory Utility Commissioners' challenge to a federal rule requiring that energy storage resources like battery systems be allowed to participate in wholesale electricity markets, NARUC President Nick Wagner told Law360 in an exclusive interview. This is the first in a series of three interviews with leading regulatory figures in the U.S. power sector.

[Read full article »](#)

UK Watchdog 'Must Stop Funds Misleading Green Investors'

The financial regulator must prevent investment firms from misleading the growing number of socially conscious investors by funneling their money into tobacco, alcohol and gambling companies, a wealth manager said Monday.

[Read full article »](#)

LITIGATION

EPA Tells DC Circ. Ozone Rule Designed For Quick Action

The U.S. Environmental Protection Agency is defending its rule instructing states how to comply with ozone limits, telling the D.C. Circuit it has given states the freedom to figure out for themselves how to meet ozone reduction targets.

 [Brief attached](#) | [Read full article »](#)

NJ Enviro Agency Aims To Restore Hess Pollution Claims

The New Jersey Department of Environmental Protection said common law is among the tools it has to combat pollution as the agency urged a state appellate panel Monday to revive such claims against Hess Corp. and another company over contamination at an oil refinery.

[Read full article »](#)

VW Gets Part Of Pre-Scandal Car Sellers' Suit Dismissed

A California federal judge on Monday dismissed some of the claims Volkswagen is facing from drivers who sold their diesel vehicles before an emissions-cheating scandal broke, but left the rest of their suit intact.

 [1 document attached](#) | [Read full article »](#)

DEALS

Hiscox Strengthens Reserves By \$165M For Storm Losses

Hiscox said Monday it has set aside \$165 million to cover claims for hurricanes and typhoons in the first nine months of the year, warning that claims from natural catastrophes were "materially in excess" of what it had forecast.

[Read full article »](#)

PEOPLE

Goldstein & Russell

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Hagens Berman

Hogan Lovells

Hopping Green

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Jomarron Lopez

Kanner & Whiteley

Katten

Kessler Topaz

King & Spalding

Kirkland & Ellis

Morrison & Foerster

Nixon Peabody

Paynter Law

Reed Smith

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Roche Freedman

Ross Aronstam

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COMPANIES

American Bar Association

Bausch Health Cos. Inc.

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Hearst Corp.

Hess Corp.

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M & F Worldwide Corp.

Morgan Stanley

Munich Re Group

National Association of State
Regulatory Utility Commissioners

Northwest Cannabis Solutions

Novartis AG

Physicians for Social Responsibility

Sierra Club

SolarCity Corp.

Southern Environmental Law
Center

King & Spalding Adds Former Katten Enviro Pro In Chicago

Katten Muchin Rosenman LLP's former environmental investigations practice co-head has joined King & Spalding LLP as a partner in Chicago, the firm announced on Monday, following several other environmental attorneys' recent departures from Katten.

[Read full article »](#)

EXPERT ANALYSIS

What CBP's Jones Act Changes Mean For Offshore Industries

U.S. Customs and Border Protection's recently proposed changes to its interpretations of the Jones Act — especially concerning the definition of "vessel equipment" — will have significant impacts on the offshore oil, gas and wind industries, says Charlie Papavizas of Winston & Strawn.

[Read full article »](#)

An Inside Look At PFAS Regulatory Action: Part 1

In the first part of this two-part video series, Charles Knauss and Daniel Grucza of Hunton discuss how Congress is exploring regulatory action for per- and polyfluoroalkyl substances, and how states are already beginning to implement their own regulations for the chemicals.

[Read full article »](#)

Opinion

Flat-Fee Legal Billing Can Liberate Attorneys

Replacing hourly billing with flat-fee arrangements, especially for appellate work, will leave attorneys feeling free to spend as much time as necessary to produce their highest quality work, says Lawrence Ebner of Capital Appellate Advocacy.

[Read full article »](#)

LEGAL INDUSTRY

Q&A

'Choose Your Poison': Ex-Texas Justice On Campaign Cash

Former Texas Supreme Court Chief Justice Thomas Phillips, a court reform advocate and fundraising powerhouse, talks to Law360 In-Depth about why the Lone Star State is a hotbed for judicial fundraising and what judges think of contributions once they take the bench.

[Read full article »](#)

Analysis

How To Drop A Client Ignoring Your Bills: 3 Cases To Know

Clients who don't pay their bills present a special challenge for a litigator, pitting the duty of confidentiality against a lawyer's basic financial needs. If you're looking for the off-ramp for a delinquent client, here are three cases to know.

Tesla Inc.

Texas Civil Justice League

Theranos Inc.

Twitter Inc.

U.S. Chamber of Commerce

Volkswagen

GOVERNMENT AGENCIES

Army Corps of Engineers

Delaware Court of Chancery

European Insurance and
Occupational Pensions Authority

Federal Energy Regulatory
Commission

Financial Conduct Authority

New Jersey Department of
Environmental Protection

New York Attorney General's
Office

Solicitors Regulation Authority

Texas Commission on
Environmental Quality

Texas Supreme Court

U.S. Army

U.S. Attorney's Office

U.S. Court of Appeals for the
District of Columbia Circuit

U.S. Court of Appeals for the
Eleventh Circuit

U.S. Court of Appeals for the
Second Circuit

U.S. Customs and Border
Protection

U.S. Department of Energy

U.S. Department of Justice

U.S. Department of the Interior

U.S. District Court for the Eastern
District of Virginia

U.S. District Court for the Northern
District of California

U.S. District Court for the Northern
District of Illinois

U.S. District Court for the Western
District of Washington

U.S. Environmental Protection
Agency

U.S. Supreme Court

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Long-Delayed 9th Circ. Pick Reports Assets Topping \$1M

A California federal prosecutor recently nominated by President Donald Trump for the second time to the Ninth Circuit reported more than \$1.1 million in assets in his most recent financial disclosures to Congress.

[Read full article »](#)

Gorsuch Conflicted About 'Common Sense' Traffic Stops

Justice Neil Gorsuch, arguably the Supreme Court's new swing vote in Fourth Amendment cases, appeared torn Monday over whether police officers can pull someone over for no other reason than the registered owner of the car has a suspended license, questioning the basis for a Kansas deputy's "common sense" assumption.

[Read full article »](#)

Reed Smith OK'd For Nonlawyer Partners, Investment In UK

Reed Smith LLP has the go-ahead from a U.K. legal regulator to raise outside investments in the business and bring in nonlawyer partners, the firm announced Monday.

[Read full article »](#)

Hogan Lovells Wants To Be On Companies' Crisis Call List

Hogan Lovells said Monday that it has launched a crisis leadership team, which will work with other practice groups to steer clients through everything from a #MeToo scandal to product recalls to government investigations.

[Read full article »](#)

CBS Says Ex-MoFo Atty Can't Sue Over Sex Assault Interviews

CBS has told a federal court that it should throw out a \$400 million defamation suit by Virginia Lt. Gov. Justin Fairfax, saying that the network's decision to air interviews with two women who accused the former Morrison & Foerster LLP partner of sexual assault did not defame him and is protected by the First Amendment.

[Read full article »](#)

Pot Co. Contract May Be Void Under US Law, Judge Says

A Seattle federal judge has said that the court may not be able to enforce a commercial contract at issue in a dispute between cannabis companies because it cannot award an ownership interest in a federally illegal drug operation.

[Read full article »](#)

Interview

15 Minutes With Bausch Health's General Counsel

Despite issues the company was facing at the time, Christina Ackermann three years ago chose to take the helm of the legal department at Bausch Health, formerly Valeant Pharmaceuticals, largely because she enjoys tackling challenges. She spoke about the legal responsibilities during the name-changing process and her proudest career moments.

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